



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,762	09/03/2002	David B Weiner	UPAP-0495	8614
34137	7590	12/06/2005	EXAMINER	
COZEN O'CONNOR, P.C.			Ouspenski, Ilia I	
1900 MARKET STREET			ART UNIT	
PHILADELPHIA, PA 19103-3508			PAPER NUMBER	

1644

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DEPARTMENT OF COMMERCE

## U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

09/980,762

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT

PAPER

1644

11302005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

## Commissioner for Patents

1. Applicant's election with traverse of Group III, claims 9-15 (corresponding to amended claims 1-6, 10-13, 41-47, and 55-60, according to Applicant), in the response filed 10/03/2005, is acknowledged. The grounds for traversal will be addressed in a subsequent Office Action.
2. Applicant's reply is not fully responsive to the prior Office Action, mailed 04/01/2005, because of the following: Applicant has not addressed the requirement for Election of Species.  
As set forth in the prior Office Action, this application contains claims directed to chimeric proteins comprising various numbers of domains in various combinations. If any one of Groups I – VIII is elected, applicant is required to elect a species wherein the chimeric protein comprises a single specified set of domains in a specified order. These species do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features.  
Applicant is required under 35 U.S.C. § 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.
3. Since the above -mentioned submission appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD OF (1) MONTH OR THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ILIA OUSPENSKI whose telephone number is 571-272-2920. The examiner can normally be reached on Monday-Friday 9 - 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on 571-272-0841. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ILIA OUSPENSKI, Ph.D.

Patent Examiner

Art Unit 1644

November 30, 2005

Phillip Gambel  
PHILLIP GAMBEL, PH.D.  
PRIMARY EXAMINER

RECEIVED 1600  
11/30/05